

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

ISRAEL C. RAMIREZ,

Petitioner,

vs.

UNITED STATES OF AMERICA,

Respondent.

Case No. 11-cv-719-JPG

MEMORANDUM AND ORDER

This matter comes before the Court on petitioner Israel C. Ramirez's motions for leave to appeal *in forma pauperis* (Doc. 24), a copy of the docket sheet (Doc. 25), and an extension of time to file the designation of record on appeal (Doc. 25).

A federal court may permit a party to proceed on appeal without full pre-payment of fees provided the party is indigent and the appeal is taken in good faith. 28 U.S.C. § 1915(a)(1) & (3); Fed. R. App. P. 24(a)(3)(A). A frivolous appeal cannot be made in good faith. *Lee v. Clinton*, 209 F.3d 1025, 1026-27 (7th Cir. 2000). The test for determining if an appeal is in good faith or not frivolous is whether any of the legal points are reasonably arguable on their merits. *Neitzke v. Williams*, 490 U.S. 319, 325 (1989) (citing *Anders v. California*, 386 U.S. 738 (1967)); *Walker v. O'Brien*, 216 F.3d 626, 632 (7th Cir. 2000). The Court has no reason to believe that Ramirez's appeal is frivolous. Accordingly, the Court **GRANTS** Ramirez's motion for leave to appeal *in forma pauperis* (Doc. 24).

The Court further **GRANTS** Ramirez's motion (Doc. 25) to the extent he seeks copies of the docket sheet in this case, **DIRECTS** the Clerk of Court to mail a copy of the docket sheet to

Ramirez, and **DIRECTS** the Clerk of Court to transfer Ramirez's motion for an extension of time (Doc. 25) to the Court of Appeals for the Seventh Circuit.

IT IS SO ORDERED.

DATED: January 14, 2014

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE